

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

PENDLETON WOOLEN MILLS, INC.,

No. 3:14-cv-00628-PK

Plaintiff,

ORDER

v.

KRAFF'S MEN'S WEAR CO., INC.,
DANIEL P. JOHNSON, and
JOHN DOE COMPANIES 1–20,

Defendants.

HERNÁNDEZ, District Judge,

On November 21, 2014, Magistrate Judge Paul Papak issued an Order (#34) granting Plaintiff Pendleton Woolen Mills, Inc.'s Motion (#23) to Compel Responses to Interrogatories and Production of Documents. On December 5, 2014, Defendants Kraff's Men's Wear Co., Inc. and Daniel P. Johnson filed a Motion (#39) for Review of Magistrate Judge's Order Compelling Discovery. Plaintiff filed a Response (#43) on December 22, 2014. The matter is now before me pursuant to Federal Rule of Civil Procedure 72(a).

In accordance with Rule 72(a), "[w]hen a pretrial matter not dispositive of a party's claim or defense is referred to a magistrate judge to hear and decide, the magistrate judge must promptly conduct the required proceedings and, when appropriate, issue a written order stating the decision." Fed. R. Civ. P. 72(a). The standard of review for an order with objections is "clearly erroneous" or "contrary to law." 28 U.S.C. § 636(b)(1)(A) (applying the "clearly erroneous or contrary to law" standard of review for nondispositive motions). If a ruling on a motion is not determinative of "a party's claim or defense," it is not dispositive and, therefore, is not subject to *de novo* review as are proposed findings and recommendations for dispositive motions under 28 U.S.C. § 636(b)(1)(B).


I have carefully considered Defendants' objections and conclude they do not provide a basis to modify the Magistrate Judge's Order.

CONCLUSION

The Court AFFIRMS Magistrate Judge Papak's Order (#34).

IT IS SO ORDERED.

DATED this 2 day of Feb, 2015.


MARCO A. HERNÁNDEZ
United States District Judge